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Social and human rights questions: human rights

Programme budget implications of resolutions and decisions recommended for adoption by the Economic and Social Council contained in the report of the Commission on Human Rights at its sixty-first session

Statement submitted by the Secretary-General in accordance with rule 31 of the rules of procedure of the Economic and Social Council

I. Introduction

1. At its sixty-first session, the Commission on Human Rights adopted a number of resolutions and decisions for adoption by the Economic and Social Council entailing statements of programme budget implications. In accordance with rule 28 of the rules of procedure of the functional commissions of the Economic and Social Council, the Commission was informed of these programme budget implications through oral statements.

II. Resolution 2005/2 on the use of mercenaries as a means of violating human rights and impeding the exercise of the right of peoples to self-determination

2. Under operative paragraph 11 of resolution 2005/2, the Commission decided to end the mandate of the Special Rapporteur on the question of the use of mercenaries and to establish a working group on the question of the use of mercenaries as a means of violating human rights and impeding the exercise of the right of peoples to self-determination, to be made up of five independent experts, one from each regional group, for a period of three years.

3. The Commission, in operative paragraphs 12 and 14, respectively, requested the working group to meet for five working days before its next session and to



report annually on the progress made in the fulfilment of its mandate to the Commission and to the General Assembly.

4. By ending of the mandate of the Special Rapporteur, an amount of \$49,100 would be available for other mandates under the category of activities considered to be of a perennial nature.

5. Activities envisaged in connection with the establishment of a working group under operative paragraph 11 of the resolution, would require provisions for consultancies as well as travel and subsistence for the experts to attend the meetings of the group and to undertake annual field missions. Total full costs of requirements under section 24, Human rights, of the programme budget for the biennium 2004-2005 are as follows: (a) \$15,000 per year for consultancies or \$45,000 for the 3-year mandate, and (b) \$49,300 annually for travel and subsistence or a total of \$147,900 for the 3-year mandate.

6. Activities envisaged under operative paragraph 14 would require provisions for travel and subsistence for the chairman of the working group. Total full costs of such travel and subsistence would amount to \$13,300 annually or a total of \$39,900 for the 3-year mandate under section 24, Human rights of the programme budget.

7. The holding of meetings of the working group, as requested in operative paragraph 12, would further require annual provisions for conference services for 5 days duration in the total amount of \$107,100 as follows:

<i>United States dollars</i>	
Section 2. General Assembly affairs and conference services	103 800
Section 29E. Administration, Geneva	3 300
Total	107 100

Total conference servicing requirements for the 3-year mandate would amount to \$321,300.

8. No provisions have been made under the programme budget for the biennium 2004-2005 for the travel requirements of the working group and of the chairman of the working group, as well as for the associated consultancy and conference servicing requirements. Should the resolution be adopted, it will not be possible to absorb these additional requirements of the working group. Therefore, an additional appropriation by the General Assembly of \$77,600 would be required under section 24, Human rights, as well as \$103,800 under section 2, General Assembly affairs and conference services, and \$3,300 under section 29E, Administration, Geneva, for the biennium 2004-2005.

9. No provisions have been made for the travel and conference servicing requirements of the working group in 2006-2007 in the proposed programme budget for 2006-2007. It is estimated that additional requirements would amount to \$155,200 under section 23, Human rights, \$207,600 under section 2, General Assembly affairs and conference services, and \$6,600 under section 28E, Administration, Geneva.

III. Resolution 2005/4 on the right to development

10. Under the terms of operative paragraph 6 of resolution 2005/4, the Commission requested the Office of the United Nations High Commissioner for Human Rights (OHCHR) to provide all necessary administrative support and financial and human resources to the High-level Task Force on the Implementation of the Right to Development. Furthermore, under the terms of operative paragraph 9, the Commission requested OHCHR to continue to provide all necessary administrative support as well as financial and human resources to the Subcommission in its work on the concept document requested by the Commission in its resolution 2003/83.

11. In this connection, it is recalled that, by its resolution 59/277 A of 23 December 2004, the General Assembly approved, under the regular budget for the biennium 2004-2005, resources for OHCHR of \$64,571,300 under section 24, Human rights. In addition, at the time of approval of resolution 58/271 A of 23 December 2003, the Assembly was informed that OHCHR projected extrabudgetary resources in the amount of \$90,106,500 for the same period.

12. The attention of the Commission is also drawn to the provisions of resolution 45/248 B, section VI, in which the General Assembly reaffirmed that administrative and budgetary matters should be dealt with by the Fifth Committee and the Advisory Committee on Administrative and Budgetary Questions.

13. Under operative paragraph 11 of resolution 2005/4, the Commission decided to renew the mandate of the Working Group on the Right to Development for one year and to convene its seventh session before the sixty-second session of the Commission for a period of 10 working days, 5 of which will be allocated to the second meeting of the high-level task force to be held well in advance of the session of the Working Group.

14. The 5-day task force meeting and 5-day session of the Working Group, as proposed under operative paragraph 11, would require provisions for conference servicing as follows:

<i>United States dollars</i>	
Section 2. General Assembly affairs and conference services	341 600
Section 29E. Administration, Geneva	6 600
Total	348 200

15. Provisions related to the extension of the mandate of the Working Group and the meetings of the High-level Task Force and the Working Group have been included under section 2, General Assembly affairs and conference services, and section 29E, Administration, Geneva, of the programme budget for the biennium 2004-2005 and the proposed programme budget for the biennium 2006-2007, respectively. Hence, the adoption of the resolution would not entail additional conference servicing requirements.

16. Activities envisaged under operative paragraph 11 in connection with the meeting of the Task Force would require provisions for travel and subsistence and the commissioning of four expert papers. Total full costs of such requirements

amount to \$89,300 under section 24, Human rights, in the biennium 2004-2005. No provisions have been made under the programme budget for the biennium 2004-2005 for these requirements. Should the resolution be adopted, it will not be possible to absorb the additional requirements of the Task Force. Therefore, an additional appropriation by the General Assembly of \$89,300 would be required under section 24, Human rights.

17. Resources for travel and subsistence would also be required in connection with the report of the chairman of the High-level Task Force to the Working Group at its meeting in early 2006. No provisions have been made for these requirements in the proposed programme budget for 2006-2007. It is estimated that additional requirements would amount to \$6,500 under section 23, Human rights, of the proposed programme budget for 2006-2007.

IV. Resolution 2005/10 on the situation of human rights in Myanmar

18. Under operative paragraph 7 (a) of resolution 2005/10, the Commission decided to extend the mandate of the Special Rapporteur on the situation of human rights in Myanmar, as contained in Commission resolution 1992/58 of 3 March 1992, for a further year and requested the Special Rapporteur to submit an interim report to the General Assembly at its sixtieth session and to report to the Commission at its sixty-second session.

19. Total full costs of the activities envisaged under the resolution would amount to \$76,300 in the biennium 2004-2005 under section 24, Human rights.

20. The mandate of the Special Rapporteur falls under the category of activities considered to be of a perennial nature. Provisions have already been included in the programme budget for the biennium 2004-2005 for activities of this nature. Hence, no additional appropriation would be required as a result of the adoption of the resolution.

V. Resolution 2005/11 on the situation of human rights in the Democratic People's Republic of Korea

21. Under operative paragraphs 10 and 12 of resolution 2005/11, the Commission decided to extend the mandate of the Special Rapporteur on the situation of human rights in the Democratic People's Republic of Korea, as contained in Commission resolution 2004/13 of 15 April 2004, for a further year and requested the Special Rapporteur to report his findings to the General Assembly at its sixtieth session and to the Commission at its sixty-second session.

22. Total full costs of the activities envisaged under resolution 2005/11, if adopted, would amount to \$77,100 in the biennium 2004-2005 under section 24, Human rights.

23. The mandate of the Special Rapporteur falls under the category of activities considered to be of a perennial nature. Provisions have already been included in the programme budget for the biennium 2004-2005 for activities of this nature. Hence,

no additional appropriation would be required as a result of the adoption of the resolution.

VI. Resolution 2005/13 on the situation of human rights in Belarus

24. Under operative paragraph 4 of resolution 2005/13, the Commission decided to extend the mandate of the Special Rapporteur on the situation of human rights in Belarus for a further year, from within existing resources, and requested him to continue his efforts to establish direct contacts with the Government and the people of Belarus, with a view to examining the situation of human rights in Belarus and following any progress made towards the elaboration of a programme on human rights education for all sectors of society, in particular law enforcement, the judiciary, prison officials and civil society, and to report to the Commission at its sixty-second session.

25. Total full costs of the activities envisaged under operative paragraph 4 of the resolution would amount to \$68,100 in the biennium 2004-2005 under section 24, Human rights.

26. The mandate of the Special Rapporteur falls under the category of activities considered to be of a perennial nature. Provisions have already been included in the programme budget for the biennium 2004-2005 for activities of this nature. Hence, no additional appropriation would be required as a result of the adoption of the resolution.

27. As regards the extension of the mandate of the Special Rapporteur "from within existing resources", the attention of the Commission is drawn to the provisions of General Assembly resolution 45/248 B, section VI, in which the Assembly reaffirmed that administrative and budgetary matters should be dealt with by the Fifth Committee and the Advisory Committee on Administrative and Budgetary Questions.

VII. Resolution 2005/19 on the effects of economic reform and foreign debt on the full enjoyment of all human rights

28. Under operative paragraph 22 of resolution 2005/19, the Commission decided to convene an expert consultation of 3 working days with the participation of experts from the United Nations Development Programme (UNDP), the United Nations Population Fund (UNFPA), the United Nations Conference on Trade and Development (UNCTAD), the Food and Agriculture Organization of the United Nations (FAO), the International Labour Organization (ILO), the World Health Organization (WHO) and other relevant United Nations agencies, the Committee on Economic, Social and Cultural Rights, the regional economic commissions, the international financial institutions, the special rapporteurs on economic, social and cultural rights, creditor and debtor States and non-governmental organizations to contribute to the work of the independent expert to finalize draft general guidelines.

29. Under operative paragraph 25, the Commission requested the independent expert on the effects of structural adjustment policies and foreign debt on the full

enjoyment of human rights to report to the General Assembly on the issue of the effects of economic reform policies and foreign debt on the full enjoyment of human rights, particularly economic, social and cultural rights.

30. Under operative paragraph 27, the Commission requested the Secretary-General to provide the independent expert with all necessary assistance, in particular the staff and resources required to carry out his functions; as well as to facilitate his participation and contribution in the follow-up process of the International Conference on Financing for Development, including in the multi-stakeholder consultations to be organized in 2005 on issues relevant to his mandate.

31. In connection with operative paragraph 27, it is recalled that by its resolution 59/277 A, the General Assembly approved, under the regular budget for the biennium 2004-2005, resources for OHCHR of \$64,571,300 under section 24, Human rights. In addition, at the time of approval of resolution 58/271 A, the Assembly was informed that OHCHR projected extrabudgetary resources in the amount of \$90,106,500 for the same period.

32. The attention of the Commission was also drawn to the provisions of resolution 45/248 B, section VI, in which the General Assembly reaffirmed that administrative and budgetary matters should be dealt with by the Fifth Committee and the Advisory Committee on Administrative and Budgetary Questions.

33. The expert consultation of 3 working days proposed under the terms of operative paragraph 22 would require provisions for conference servicing as follows:

<i>United States dollars</i>	
Section 2, General Assembly affairs and conference services	82 600
Section 29E, Administration, Geneva	1 900
Total	84 500

34. No provisions have been made under the programme budget for the biennium 2004-2005 to convene the expert consultation of 3 working days. It will not be possible to absorb these additional conference servicing requirements. Therefore, an additional appropriation by the General Assembly of \$82,600 would be required under section 2, General Assembly affairs and conference services and of \$1,900 under section 29E, Administration, Geneva.

35. In addition, provisions for travel and subsistence for four experts (including two from debtor countries) and for consultancy would be required in connection with the expert consultation under the terms of operative paragraph 22. Total costs of such requirements would amount to \$43,400. No provisions have been made for these activities in the programme budget for the biennium 2004-2005. However, it is anticipated that the costs could be absorbed within overall resources included in the programme budget for the biennium under section 24, Human rights.

36. The provision of \$17,500 for travel and subsistence for the independent expert, an expert of the Committee on Economic, Social and Cultural Rights and the special rapporteurs on economic, social and cultural rights would also be required in connection with the expert consultation under the terms of operative paragraph 22.

Their respective mandates fall under the category of activities considered to be of a perennial nature, provisions for which have already been included in the programme budget for the biennium 2004-2005 under section 24, Human rights. Hence, no additional appropriation would be required in this regard as a result of the adoption of paragraph 22.

37. Resources for travel and subsistence, as well as for temporary assistance, for the independent expert under the terms of operative paragraph 25, would amount to \$21,900 in the biennium 2004-2005 under section 24, Human rights. The mandate of the independent expert falls under the category of activities considered to be of a perennial nature. Provisions for activities of this nature have already been included in the programme budget for the biennium 2004-2005. Hence, no additional appropriation would be required as a result of the adoption of paragraph 25.

VIII. Resolution 2005/24 on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health

38. Under operative paragraph 19 of resolution 2005/24, the Commission decided to extend, for a period of three years, the mandate of the Special Rapporteur on the right for everyone to the enjoyment of the highest attainable standard of physical and mental health.

39. Under operative paragraph 26, the Commission requested the United Nations High Commissioner for Human Rights to provide all the necessary resources for the effective fulfilment of the Special Rapporteur's mandate from within existing resources.

40. Under operative paragraph 28, the Commission requested the Special Rapporteur to submit a report to the Commission annually and an interim report to the General Assembly on the activities performed under his mandate.

41. Total full costs of the activities envisaged under operative paragraphs 19 and 28, if adopted, would amount to \$63,600 under section 24, Human rights, in the biennium 2004-2005 and \$127,200 under section 23, Human rights, in the biennium 2006-2007.

42. The mandate of the Special Rapporteur falls under the category of activities considered to be of a perennial nature. Provisions for activities of this nature have already been included in the programme budget for the biennium 2004-2005 and in the proposed programme budget for the biennium 2006-2007. Hence, no additional appropriation would be required as a result of the adoption of the resolution.

43. In connection with operative paragraph 26, it is recalled that, by its resolution 59/277 A, the General Assembly approved under the regular budget for the biennium 2004-2005 resources for OHCHR of \$64,571,300 under section 24, Human rights. In addition, at the time of approval of resolution 58/271 A, the Assembly was informed that OHCHR projected extrabudgetary resources in the amount of \$90,106,500 for the same period.

44. The attention of the Commission was also drawn to the provisions of resolution 45/248 B, section VI, in which the General Assembly reaffirmed that

administrative and budgetary matters should be dealt with by the Fifth Committee and the Advisory Committee on Administrative and Budgetary Questions.

IX. Resolution 2005/27 on enforced or involuntary disappearances

45. Under the terms of operative paragraph 10 of resolution 2005/27, the Commission, *inter alia*, requested the Secretary-General: (a) to ensure that the Working Group receives all the assistance and resources it requires to perform its function, including supporting the principles of the Declaration on the Protection of All Persons from Enforced Disappearance, carrying out and following up on missions and holding sessions in countries that are prepared to receive it; and (b) to provide the resources needed to update the database on cases of enforced disappearance.

46. In this connection, it is recalled that by its resolution 59/277, the General Assembly approved, under the regular budget for the biennium 2004-2005, resources for OHCHR of \$64,571,300 under section 24, Human rights. In addition, at the time of approval of resolution 58/271 A, the Assembly was informed that OHCHR projected extrabudgetary resources in the amount of \$90,106,500 for the same period.

47. The attention of the Commission was also drawn to the provisions of resolution 45/248 B, section VI, in which the General Assembly reaffirmed that administrative and budgetary matters should be dealt with by the Fifth Committee and the Advisory Committee on Administrative and Budgetary Questions.

48. Under the terms of operative paragraph 15, the Commission requested the United Nations High Commissioner for Human Rights to invite the former independent expert to examine the existing international criminal and human rights framework for the protection of persons from enforced or involuntary disappearance, the former Chairman-Rapporteur of the sessional working group on the administration of justice of the Subcommission on the Promotion and Protection of Human Rights, who submitted to the sessional working group in 1998 a draft international convention on the protection of all persons from enforced disappearance (E/CN.4/Sub.2/1998/19, annex), and also a representative of the Working Group on Enforced or Involuntary Disappearances to participate in the activities of the intersessional working group.

49. Total full costs of the activities envisaged under operative paragraph 15 would amount to \$19,700 in the biennium 2004-2005 under section 24, Human rights.

50. The mandates of the independent experts and rapporteurs fall under the category of activities considered to be of a perennial nature. Provisions for activities of this nature have already been included in the programme budget for the biennium 2004-2005. Hence, no additional appropriation would be required as a result of the adoption of the resolution.

X. Resolution 2005/33 on independence and impartiality of the judiciary, jurors and assessors and the independence of lawyers

51. Under the terms of operative paragraph 14 of resolution 2005/33, the Commission requested the Secretary-General, within the limits of the United Nations regular budget, to provide the Special Rapporteur on the independence of judges and lawyers with any assistance he might need for the discharge of his mandate.

52. In this connection, it is recalled that, by its resolution 59/277, the General Assembly approved, under the regular budget for the biennium 2004-2005, resources for OHCHR of \$64,571,300 under section 24, Human rights. In addition, at the time of approval of resolution 58/271 A, the Assembly was informed that OHCHR projected extrabudgetary resources in the amount of \$90,106,500 for the same period.

53. The attention of the Commission was also drawn to the provisions of resolution 45/248 B, section VI, in which the General Assembly reaffirmed that administrative and budgetary matters should be dealt with by the Fifth Committee and the Advisory Committee on Administrative and Budgetary Questions.

XI. Resolution 2005/38 on the right to freedom of opinion and expression

54. Under the terms of operative paragraph 12 of resolution 2005/38, the Commission again requested the Secretary-General to provide the assistance necessary to the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression to fulfil his mandate effectively, in particular by placing adequate human and material resources at his disposal.

55. In this connection, it is recalled that, by its resolution 59/277, the General Assembly approved, under the regular budget for the biennium 2004-2005, resources for OHCHR of \$64,571,300 under section 24, Human rights. In addition, at the time of approval of resolution 58/271 A, the Assembly was informed that OHCHR projected extrabudgetary resources in the amount of \$90,106,500 for the same period.

56. The attention of the Commission was also drawn to the provisions of resolution 45/248 B, section VI, in which the General Assembly reaffirmed that administrative and budgetary matters should be dealt with by the Fifth Committee and the Advisory Committee on Administrative and Budgetary Questions.

57. Under the terms of operative paragraph 13, the Commission decided to extend the mandate of the Special Rapporteur for a further three years.

58. Under the terms of operative paragraph 14, the Commission requested the Special Rapporteur to submit to the Commission an annual report covering activities relating to his mandate.

59. Total full costs of the activities envisaged under this decision, if adopted, would amount to \$78,100 under section 24, Human rights, in the biennium 2004-2005 and \$156,200 under section 23, Human rights, in the biennium 2006-2007.

60. The mandate of the Special Rapporteur falls under the category of activities considered to be of a perennial nature. Provisions for activities of this nature have already been included in the programme budget for the biennium 2004-2005 and in the proposed programme budget for the biennium 2006-2007. Hence, no additional appropriation would be required as a result of the adoption of the resolution.

XII. Resolution 2005/39 on torture and other cruel, inhuman or degrading treatment or punishment

61. Under the terms of operative paragraph 35 of resolution 2005/39, the Commission requested the Secretary-General to ensure, within the overall budgetary framework of the United Nations, the provision of an adequate and stable level of staffing and the necessary technical facilities for the bodies and mechanisms involved in combating torture and assisting victims of torture in order to ensure their effective performance, commensurate with the strong support expressed by Member States for combating torture and assisting victims of torture.

62. In this connection, it is recalled that by its resolution 59/277, the General Assembly approved, under the regular budget for the biennium 2004-2005, resources for OHCHR of \$64,571,300 under section 24, Human rights. In addition, at the time of approval of resolution 58/271 A, the Assembly was informed that OHCHR projected extrabudgetary resources in the amount of \$90,106,500 for the same period.

63. The attention of the Commission was also drawn to the provisions of resolution 45/248 B, section VI, in which the General Assembly reaffirmed that administrative and budgetary matters should be dealt with by the Fifth Committee and the Advisory Committee on Administrative and Budgetary Questions.

XIII. Resolution 2005/41 on the elimination of violence against women

64. Under the terms of operative paragraph 29 of resolution 2005/41, the Commission renewed its request to the Secretary-General to continue to provide the Special Rapporteur on violence against women, its causes and consequences with all necessary assistance, in particular the staff and resources required to perform all mandated functions, especially in carrying out and following up on missions undertaken either separately or jointly with other special rapporteurs and working groups, as well as adequate assistance for periodic consultations with the Committee on the Elimination of Discrimination against Women and all other treaty bodies.

65. In this connection, it is recalled that by its resolution 59/277, the General Assembly approved, under the regular budget for the biennium 2004-2005, resources for OHCHR of \$64,571,300 under section 24, Human rights. In addition, at the time of approval of resolution 58/271 A, the Assembly was informed that

OHCHR projected extrabudgetary resources in the amount of \$90,106,500 for the same period.

66. The attention of the Commission was also drawn to the provisions of resolution 45/248 B, section VI, in which the General Assembly reaffirmed that administrative and budgetary matters should be dealt with by the Fifth Committee and the Advisory Committee on Administrative and Budgetary Questions.

XIV. Resolution 2005/47 on the human rights of migrants

67. Under the terms of operative paragraph 24 of resolution 2005/47, the Commission decided to extend the mandate of the Special Rapporteur on the human rights of migrants for a period of three years.

68. Under the terms of operative paragraph 32, the Commission requested the Secretary-General to give the Special Rapporteur all the necessary human and financial assistance for the fulfilment of her mandate.

69. Total full costs of the activities envisaged under operative paragraph 24, if adopted, would amount to \$90,600 under section 24, Human rights, in the biennium 2004-2005 and \$181,200 under section 23, Human rights, in the biennium 2006-2007.

70. The mandate of the Special Rapporteur falls under the category of activities considered to be of a perennial nature. Provisions for activities of this nature have already been included in the programme budget for the biennium 2004-2005 and in the proposed programme budget for the biennium 2006-2007. Hence, no additional appropriation would be required as a result of the adoption of the resolution.

71. In connection with operative paragraph 32, it is recalled that by its resolution 59/277, the General Assembly approved, under the regular budget for the biennium 2004-2005, resources for OHCHR of \$64,571,300 under section 24, Human rights. In addition, at the time of approval of resolution 58/271 A, the Assembly was informed that OHCHR projected extrabudgetary resources in the amount of \$90,106,500 for the same period.

72. The attention of the Commission was also drawn to the provisions of resolution 45/248 B, section VI, in which the General Assembly reaffirmed that administrative and budgetary matters should be dealt with by the Fifth Committee and the Advisory Committee on Administrative and Budgetary Questions.

XV. Resolution 2005/49 on the Working Group on Indigenous Populations

73. Under the terms of operative paragraph 8 (a) of resolution 2005/49, the Commission requested the Secretary-General to provide adequate resources and assistance to the Working Group on Indigenous Populations in the discharge of its tasks, including adequate dissemination of information about the activities of the Working Group to Governments, the specialized agencies, non-governmental organizations and organizations of indigenous people, in order to encourage the widest possible participation in its work.

74. In this connection, it is recalled that by its resolution 59/277, the General Assembly approved, under the regular budget for the biennium 2004-2005, resources for OHCHR of \$64,571,300 under section 24, Human rights. In addition, at the time of approval of resolution 58/271 A, the Assembly was informed that OHCHR projected extrabudgetary resources in the amount of \$90,106,500 for the same period.

75. The attention of the Commission was also drawn to the provisions of resolution 45/248 B, section VI, in which the General Assembly reaffirmed that administrative and budgetary matters should be dealt with by the Fifth Committee and the Advisory Committee on Administrative and Budgetary Questions.

XVI. Resolution 2005/50 on the Working Group of the Commission on Human Rights to elaborate a draft declaration in accordance with paragraph 5 of General Assembly resolution 49/214 of 23 December 1994

76. Under operative paragraph 5 of resolution 2005/50, the Commission recommended that the Working Group meet for 10 working days prior to the sixty-second session of the Commission and that the cost of the meeting be met from within existing resources.

77. Under operative paragraph 6 of the resolution, the Commission invited the Chairperson-Rapporteur of the Working Group to undertake enquiries with OHCHR to determine the possibility of convening additional meetings of the Working Group, within existing resources, with a view to facilitating progress in drafting a declaration on the rights of indigenous people.

78. Provisions related to the extension of the mandate of the Working Group have been included under section 2, General Assembly affairs and conference services, and section 29E, Administration, Geneva, of the programme budget for the biennium 2004-2005. Hence, the adoption of the resolution would not entail additional conference servicing requirements.

79. In connection with the reference to "within existing resources" in operative paragraphs 4 and 5, the attention of the Commission was drawn to the provisions of resolution 45/248 B, section VI, in which the General Assembly reaffirmed that administrative and budgetary matters should be dealt with by the Fifth Committee and the Advisory Committee on Administrative and Budgetary Questions.

XVII. Resolution 2005/51 on human rights and indigenous issues

80. Under the terms of operative paragraph 12 of resolution 2005/51, the Commission requested OHCHR to facilitate the attendance of the Special Rapporteur on the situation of human rights and fundamental freedoms of indigenous people at the fourth annual session of the Permanent Forum on Indigenous Issues, to be held at United Nations Headquarters in May 2005.

81. Under the terms of operative paragraph 19, the Commission requested the Secretary-General and the United Nations High Commissioner for Human Rights to

provide all the necessary human, technical and financial assistance to the Special Rapporteur for the effective fulfilment of his mandate.

82. Total full costs of the activities envisaged under operative paragraph 12 would amount to \$8,400 under section 24, Human rights, in the biennium 2004-2005.

83. The mandate of the Special Rapporteur falls under the category of activities considered to be of a perennial nature. Provisions for activities of this nature have already been included in the programme budget for the biennium 2004-2005. Hence, no additional appropriation would be required as a result of the adoption of the resolution.

84. In connection with operative paragraph 19, it is recalled that, by its resolution 59/277, the General Assembly approved, under the regular budget for the biennium 2004-2005, resources for OHCHR of \$64,571,300 under section 24, Human rights. In addition, at the time of approval of resolution 58/271 A, the Assembly was informed that OHCHR projected extrabudgetary resources in the amount of \$90,106,500 for the same period.

85. The attention of the Commission was also drawn to the provisions of resolution 45/248 B, section VI, in which the General Assembly reaffirmed that administrative and budgetary matters should be dealt with by the Fifth Committee and the Advisory Committee on Administrative and Budgetary Questions.

XVIII. Resolution 2005/55 on human rights and international solidarity

86. Under the terms of operative paragraph 6 of resolution 2005/55, the Commission decided to appoint an independent expert on human rights and international solidarity for a period of three years.

87. Under the terms of operative paragraph 9, the Commission requested the independent expert to report annually to the Commission on the progress made in the fulfilment of his/her mandate.

88. Total full costs of the activities envisaged under operative paragraphs 6 and 7 of resolution 2005/55, if adopted, would amount to \$34,000 under section 24, Human rights, in the biennium 2004-2005 and \$68,000 under section 23, Human rights, in the biennium 2006-2007.

89. The mandate of the independent expert falls under the category of activities considered to be of a perennial nature. Provisions for activities of this nature have already been included in the programme budget for the biennium 2004-2005 and in the proposed programme budget for the biennium 2006-2007. Hence, no additional appropriation would be required as a result of the adoption of the resolution.

XIX. Resolution 2005/62 on the Convention on the Prevention and Punishment of the Crime of Genocide

90. Under the terms of operative paragraph 9 of resolution 2005/62, the Commission requested the Secretary-General to make available to the Commission at its sixty-second session a report on the implementation of the five point action

plan and on the activities of the Special Adviser on the Prevention of Genocide and invited the Special Adviser to address the Commission at the same session as well as at the sixty-third session on the progress made in discharging his duties.

91. Resources for travel and subsistence would be required in connection with the invitation to the Special Adviser to address the Commission at its sixty-second and sixty-third sessions. No provisions have been made for these requirements in the proposed programme budget for the biennium 2006-2007. Total full costs of such requirements would amount to \$14,200 under section 23, Human rights.

XX. Resolution 2005/64 on the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance and the comprehensive implementation of and follow-up to the Durban Declaration and Programme of Action

92. Under the terms of operative paragraph 16 of resolution 2005/64, the Commission decided to request OHCHR, in consultation with Member States, to convene a high-level seminar for five days during the fourth session of the Intergovernmental Working Group on the Effective Implementation of the Durban Declaration and Programme of Action.

93. Under the terms of operative paragraph 29, the Commission, *inter alia*, requested the High Commissioner for Human Rights to expedite the consultative process in 2005 in respect of the development of a racial equality index and to submit to the Commission, at its sixty-second session, a draft base document on the proposed index.

94. Under the terms of operative paragraph 31, the Commission requested the High Commissioner to provide all the necessary resources for the effective fulfilment of the mandates of the Intergovernmental Working Group on the Effective Implementation of the Durban Declaration and Programme of Action, the Working Group of Experts on People of African Descent and the group of independent eminent experts, and also requested that in this regard particular attention be given to the proper staffing and adequate resources for the Anti-Discrimination Unit within OHCHR.

95. Under the terms of operative paragraph 36, the Commission decided to extend the mandate of the Special Rapporteur on Racism, Racial Discrimination, Xenophobia and Related Intolerance for a period of three years.

96. Under the terms of operative paragraph 40, the Commission requested the Secretary-General to provide the Special Rapporteur with all the necessary human and financial assistance to carry out his mandate efficiently, effectively and expeditiously and to enable him to submit an interim report to the General Assembly at its sixtieth session and to the Commission at its sixty-first session.

97. In connection with operative paragraphs 31 and 40, it is recalled that, by its resolution 59/277, the General Assembly approved, under the regular budget for the biennium 2004-2005, resources for OHCHR of \$64,571,300 under section 24, Human rights. In addition, at the time of approval of resolution 58/271 A, the

Assembly was informed that OHCHR projected extrabudgetary resources in the amount of \$90,106,500 for the same period.

98. The attention of the Commission is also drawn to the provisions of resolution 45/248 B, section VI, in which the General Assembly reaffirmed that administrative and budgetary matters should be dealt with by the Fifth Committee and the Advisory Committee on Administrative and Budgetary Questions.

99. Total full costs of travel and subsistence provisions in connection with convening the high-level seminar envisaged under operative paragraph 16 would amount to \$20,700 for the first two days and \$62,100 for the remaining three days of the seminar. It is anticipated that the above costs would be covered from extrabudgetary resources available to OHCHR. Hence, no additional appropriation would be required.

100. Total full costs of travel and consultancy requirements in connection with activities envisaged under operative paragraph 29 would amount to \$26,200. It is anticipated that these costs would be covered from extrabudgetary resources available to OHCHR. Hence, no additional appropriation would be required.

101. Total full costs of the activities envisaged under operative paragraph 36, if adopted, would amount to \$81,900 under section 24, Human rights, in the biennium 2004-2005 and \$163,800 under section 23, Human rights, in the biennium 2006-2007.

102. The mandate of the Special Rapporteur falls under the category of activities considered to be of a perennial nature. Provisions for activities of this nature have already been included in the programme budget for the biennium 2004-2005 and in the proposed programme budget for the biennium 2006-2007. Hence, no additional appropriation would be required as a result of the adoption of the resolution.

XXI. Resolution 2005/69 on human rights and transnational corporations and other business enterprises

103. Under operative paragraph 1 of resolution 2005/69, the Commission requested the Secretary-General to appoint a special representative on the issue of human rights and transnational corporations and other business enterprises, for an initial period of 2 years, who shall submit an interim report to the Commission on Human Rights at its sixty-second session, and a final report at its sixty-third session.

104. Under operative paragraph 5 of the resolution, the Commission requested the High Commissioner for Human Rights to convene, annually, in cooperation with the special representative, a meeting with senior executives from companies and experts from a particular sector, such as the pharmaceutical, extractive or chemical industries, to consider, within the mandate of the Special Representative as set out in operative paragraph 1 of the resolution, the specific human rights issues faced by those sectors, to raise awareness and share best practice and to report to the sixty-second session of the Commission, under this agenda item, on the outcome of the first meeting.

105. Total full costs of the activities of the Special Representative envisaged under operative paragraphs 1 and 5, if adopted, would amount to \$39,100 under section

24, Human rights, in the biennium 2004-2005 and \$39,100 under section 23, Human rights, in the biennium 2006-2007.

106. The mandate of the special representative falls under the category of activities considered to be of a perennial nature. Provisions for activities of this nature have already been included in the programme budget for the biennium 2004-2005 and in the proposed programme budget for the biennium 2006-2007. Hence, no additional appropriation would be required as a result of the adoption of the resolution.

107. The meeting, as proposed under the terms of operative paragraph 5, would require annual provisions for conference servicing as follows:

<i>United States dollars</i>	
Section 2. General Assembly affairs and conference services	44 300
Section 29E. Administration, Geneva	1 400
Total	45 700

108. No provisions have been made under the programme budget for the biennium 2004-2005 to convene the meeting called for in paragraph 5. Should the resolution be adopted, it will not be possible to absorb these additional conference servicing requirements. Therefore, an additional appropriation by the General Assembly of \$44,300 would be required under section 2, General Assembly affairs and conference services, and of \$1,400 under section 29E, Administration, Geneva.

109. Likewise, no provisions have been made for conference servicing requirements of the meeting to be held in 2006 in the proposed programme budget for 2006-2007. It is estimated that additional requirements would amount to \$44,300 under section 2, General Assembly affairs and conference services, and \$1,400 under section 28E, Administration, Geneva.

110. In addition, provisions for travel and subsistence of five experts in the amount of \$25,500 in connection with the meeting would be required under section 24, Human rights, in the biennium 2004-2005. No provisions have been made for these requirements. It is anticipated, however, that the costs could be absorbed within overall resources included in the programme budget for this biennium under section 24, Human rights.

111. Resources for travel and subsistence of five experts in connection with the meeting would also be required in 2006. No provisions have been made for these requirements in the proposed programme budget for 2006-2007. It is estimated that additional requirements would amount to \$25,500 under section 23, Human rights.

112. Under operative paragraph 4 of resolution 2005/69, the Commission requested OHCHR to provide all necessary administrative support and financial and human resources to the special representative in carrying out his mandate.

113. In connection with operative paragraph 4, it is recalled that by its resolution 59/277, the General Assembly approved, under the regular budget for the biennium 2004-2005, resources for OHCHR of \$64,571,300 under section 24, Human rights. In addition, at the time of approval of resolution 58/271 A, the Assembly was informed that OHCHR projected extrabudgetary resources in the amount of \$90,106,500 for the same period.

114. The attention of the Commission was also drawn to the provisions of resolution 45/248 B, section VI, in which the General Assembly reaffirmed that administrative and budgetary matters should be dealt with by the Fifth Committee and the Advisory Committee on Administrative and Budgetary Questions.

XXII. Resolution 2005/78 on technical cooperation and advisory services in Nepal

115. Under operative paragraph 14 of resolution 2005/78, the Commission requested the High Commissioner for Human Rights, in accordance with the agreement signed with the Government of Nepal on 11 April 2005, to establish an office in Nepal with a mandate to assist the Nepalese authorities in developing policies and programmes for the promotion and protection of human rights, to monitor the situation of human rights and observance of international humanitarian law, including investigation and verification nationwide through the international human rights officers and the establishment of field-based offices staffed with international personnel, to report in accordance with the Agreement and to work in cooperation with other United Nations and other international organizations based in Nepal in this regard.

116. Costs of the start-up phase (April-July 2005) of the activities envisaged under operative paragraph 14 would amount to \$620,400 in the biennium 2004-2005 under section 24, Human rights. An assessment mission is currently in Nepal to estimate the full requirements for this operation. A final budget will be developed on the basis of the findings of the assessment mission.

117. It is anticipated that voluntary contributions would be sought to cover the costs of the envisaged activities from extrabudgetary resources available to OHCHR. Hence, no additional appropriation would be required.

XXIII. Resolution 2005/79 on the rights of persons belonging to national or ethnic, religious and linguistic minorities

118. Under operative paragraphs 6 and 7 of resolution 2005/79, respectively, the Commission requested, the High Commissioner to appoint an independent expert on minority issues for a period of two years and requested the independent expert to submit annual reports on his/her activities to the Commission.

119. Under operative paragraph 8 of the resolution, the Commission requested the Secretary-General to provide all the necessary resources, from within existing budgetary resources, for the effective fulfilment of the mandate of the independent expert.

120. Under operative paragraph 9 of the resolution, the Commission decided to amend the mandate of the Working Group on Minorities, with a view to its holding one session of three working days annually during the time of the annual session of the Subcommission on the Promotion and Protection of Human Rights, focusing its work on interactive dialogue with relevant non-governmental organizations and on conceptual support of and dialogue with the independent expert, who shall participate as an observer.

121. Total full costs of the activities envisaged under operative paragraphs 6 and 7 would amount to \$78,100 under section 24, Human rights, in the biennium 2004-2005 and \$156,200 under section 23, Human rights, in the biennium 2006-2007.

122. The mandate of the Special Representative falls under the category of activities considered to be of a perennial nature. Provisions for activities of this nature have already been included in the programme budget for the biennium 2004-2005 and in the proposed programme budget for the biennium 2006-2007. Hence, no additional appropriation would be required as a result of the adoption of the resolution.

123. The amendment of the mandate of the Working Group as envisaged under operative paragraph 9, would make available the amount of \$72,200 for other mandates under section 23, Human rights, of the proposed programme budget for the biennium 2006-2007.

124. Conference servicing provisions related to the mandate of the Working Group have been included in the programme budget for the biennium 2004-2005 and the proposed programme budget for the biennium 2006-2007. Hence, the adoption of the resolution would not entail additional conference servicing requirements.

125. In connection with the Commission's request under operative paragraph 8, it is recalled that by its resolution 59/277, the General Assembly approved, under the regular budget for the biennium 2004-2005, resources for OHCHR of \$64,571,300 under section 24, Human rights. In addition, at the time of approval of resolution 58/271 A, the Assembly was informed that OHCHR projected extrabudgetary resources in the amount of \$90,106,500 for the same period.

126. The attention of the Commission was also drawn to the provisions of resolution 45/248 B, section VI, in which the General Assembly reaffirmed that administrative and budgetary matters should be dealt with by the Fifth Committee and the Advisory Committee on Administrative and Budgetary Questions.

XXIV. Resolution 2005/80 on protection of human rights and fundamental freedoms while countering terrorism

127. Under the terms of operative paragraph 14 of resolution 2005/80, the Commission decided to appoint, for a period of three years, a special rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism.

128. Total full costs of the activities envisaged under operative paragraph 13 of the resolution, if adopted, would amount to \$81,800 under section 24, Human rights, in the biennium 2004-2005 and \$163,600 under section 23, Human rights, in the biennium 2006-2007.

129. The mandate of the special rapporteur falls under the category of activities considered to be of a perennial nature. Provisions for activities of this nature have already been included in the programme budget for the biennium 2004-2005 and in the proposed programme budget for the biennium 2006-2007. Hence, no additional appropriation would be required as a result of the adoption of the resolution.

XXV. Resolution 2005/82 on the situation of human rights in the Sudan

130. Under the terms of operative paragraph 8 of resolution 2005/82, the Commission decided to establish the mandate of a special rapporteur on the situation of human rights in the Sudan for one year and would request the special rapporteur to monitor the situation of human rights in the Sudan and submit an interim report to the General Assembly at its sixtieth session and to report to the Commission at its sixty-second session.

131. Total full costs of the activities envisaged under operative paragraph 8 of the resolution, if adopted, would amount to \$74,100 in the biennium 2004-2005 under section 24, Human rights.

132. The mandate of the special rapporteur falls under the category of activities considered to be of a perennial nature. Provisions have already been included in the programme budget for the biennium 2004-2005 for activities of this nature. Hence, no additional appropriation would be required as a result of the adoption of the resolution.

XXVI. Resolution 2005/83 on assistance to Somalia in the field of human rights

133. Under the terms of operative paragraph 11 (a) of resolution 2005/83, the Commission requested the High Commissioner for Human Rights to provide for the translation of international human rights treaties as well as of resolution 2005/83, accompanied by an appropriate background explanatory note into the Somali language, for dissemination to the greatest extent possible within the country.

134. Total full costs of the activities envisaged under operative paragraph 11 (a) would amount to \$3,000. It is anticipated that voluntary contributions would be sought to cover these costs from extrabudgetary resources available to OHCHR. Hence, no additional appropriation would be required.

135. Under the terms of operative paragraph 13 (a), the Commission decided to extend the mandate of the independent expert on the situation of human rights in Somalia for a further year and would request him to report to the Commission at its sixty-second session.

136. Total full costs of the activities envisaged under operative paragraph 13 (a) would amount to \$103,100. The mandate of the independent expert falls under the category of activities considered to be of a perennial nature. Provisions for activities of this nature have already been included in the programme budget for the biennium 2004-2005 and in the proposed programme budget for the biennium 2006-2007. Hence, no additional appropriation would be required as a result of the adoption of the resolution.

137. Under the terms of operative paragraph 13 (b), the Commission decided to request the Secretary-General to continue to provide the independent expert with all necessary assistance in carrying out his mandate and to provide adequate resources, from within existing overall United Nations resources, to fund the activities of the

independent expert and the High Commissioner in providing advisory services and technical assistance.

138. In this connection, it is recalled that by its resolution 59/277, the General Assembly approved, under the regular budget for the biennium 2004-2005, resources for OHCHR of \$64,571,300 under section 24, Human rights. In addition, at the time of approval of resolution 58/271 A, the Assembly was informed that OHCHR projected extrabudgetary resources in the amount of \$90,106,500 for the same period.

139. The attention of the Commission was also drawn to the provisions of resolution 45/248 B, section VI, in which the General Assembly reaffirmed that administrative and budgetary matters should be dealt with by the Fifth Committee and the Advisory Committee on Administrative and Budgetary Questions.

XXVII. Resolution 2005/85 on technical cooperation and advisory services in the Democratic Republic of the Congo

140. Under operative paragraph 8 of resolution 2005/85, the Commission decided:

(a) To extend the mandate of the independent expert on the situation of human rights in the Democratic Republic of the Congo for one year and to request the Secretary-General to provide all necessary assistance to enable the independent expert to fulfil his mandate;

(b) To request the independent expert to submit a progress report to the General Assembly at its sixtieth session, and to report to the Commission at its sixty-second session.

141. Total full costs of the activities envisaged under paragraph 8 (a) and (b), if adopted, would amount to \$81,600 in the biennium 2004-2005 under section 24, Human rights.

142. The mandate of the independent expert falls under the category of activities considered to be of a perennial nature. Provisions have already been included in the programme budget for the biennium 2004-2005 for activities of this nature. Hence, no additional appropriation would be required as a result of the adoption of the resolution.

XXVIII. Decision 2005/104 on corruption and its impact on the full enjoyment of human rights, in particular economic, social and cultural rights

143. Under the terms of decision 2005/104, the Commission decided to endorse the request of the Subcommission on the Promotion and Protection of Human Rights to the Secretary-General to facilitate the work of the Special Rapporteur to prepare a comprehensive study on corruption and its impact on the full enjoyment of human rights, in particular economic, social and cultural rights, by enabling her to attend the meetings of the "Friends of the Convention", which take place in Vienna.

144. Total full costs of the activities envisaged under this decision, if adopted, would amount to \$11,000 in the biennium 2004-2005 under section 24, Human rights.

145. The mandate of the Special Rapporteur falls under the category of activities considered to be of a perennial nature. Provisions have already been included in the programme budget for the biennium 2004-2005 for activities of this nature. Hence, no additional appropriation would be required as a result of the adoption of the decision.

XXIX. Decision 2005/105 on the study on non-discrimination as enshrined in article 2, paragraph 2, of the International Covenant on Economic, Social and Cultural Rights

146. Under the terms of decision 2005/105, the Commission decided to approve the decision of the Subcommission on the Promotion and Protection of Human Rights to appoint Mr. Marc Bossuyt as Special Rapporteur to undertake a study on non-discrimination as enshrined in article 2, paragraph 2, of the International Covenant on Economic, Social and Cultural Rights, based on the working paper prepared by Mr. Emmanuel Decaux (E/CN.4/Sub.2/2004/24) and on the comments received and the discussions held at the fifty-sixth session of the Subcommission, in close cooperation with the Committee on Economic, Social and Cultural Rights, and the decision to request the Special Rapporteur to submit a preliminary report to the Subcommission at its fifty-seventh session, an interim report at its fifty-eighth session and a final report at its fifty-ninth session. The Commission also approved the request that the Secretary-General provide the Special Rapporteur with all the necessary assistance to enable him to carry out his mandate.

147. Total full costs of the activities envisaged under decision 2005/105 would amount to \$24,700 under section 24, Human rights, in the biennium 2004-2005 and \$49,400 under section 23, Human rights, in the biennium 2006-2007.

148. The mandate of the Special Rapporteur falls under the category of activities considered to be of a perennial nature. Provisions for activities of this nature have already been included in the programme budget for the biennium 2004-2005 and in the proposed programme budget for the biennium 2006-2007. Hence no additional appropriation would be required as a result of the adoption of the decision.

149. As regards the request that the Secretary-General provide the Special Rapporteur with all the necessary assistance to enable him to carry out his mandate, it is recalled that by its resolution 59/277, the General Assembly approved, under the regular budget for the biennium 2004-2005, resources for OHCHR of \$64,571,300 under section 24, Human rights. In addition, at the time of approval of resolution 58/271 A, the Assembly was informed that OHCHR projected extrabudgetary resources in the amount of \$90,106,500 for the same period.

150. The attention of the Commission was also drawn to the provisions of resolution 45/248 B, section VI, in which the General Assembly reaffirmed that administrative and budgetary matters should be dealt with by the Fifth Committee and the Advisory Committee on Administrative and Budgetary Questions.

XXX. Decision 2005/106 on promotion of the realization of the right to drinking water and sanitation

151. Under the terms of decision 2005/106, the Commission decided to approve the request of the Subcommission on the Promotion and Protection of Human Rights to have the reports of the Special Rapporteur to conduct a detailed study on the relationship between the enjoyment of economic, social and cultural rights and the promotion of the realization of the right to drinking water supply and sanitation (E/CN.4/Sub.2/2002/10, E/CN.4/Sub.2/2003/WP.3 and E/CN.4/Sub.2/2004/20) issued in the official languages of the United Nations.

152. The activities foreseen under decision 2005/106 could be undertaken only after the applicable procedures governing the issuance of the official United Nations documentation have been completed. It has not been possible to determine what additional costs would be incurred, if any, and whether such costs would be covered from available resources. The Commission was thus informed that the Secretariat will review the provisions of the decision and will bring the outcome of the review, including any additional requirements, to the attention of the Economic and Social Council when it considers the report of the Commission.

153. Two of the three reports that the Commission decided should be issued in the official languages of the United Nations, as requested by the Subcommission (E/CN.4/Sub.2/2002/10 and E/CN.4/Sub.2/2002/20) have already been issued in all official United Nations languages. In accordance with the United Nations rule that texts already issued in all official languages should not again be translated and issued, the third report, contained in document E/CN.4/2003/WP.3, was not issued as an official document since most of the contents of the draft submitted repeated information contained in E/CN.4/Sub.2/2002/10. As a result, the report was circulated as a working paper and not issued in all official languages.

XXXI. Decision 2005/107 on terrorism and human rights

154. Under the terms of decision 2005/107, the Commission decided, *inter alia*, to recommend to the Economic and Social Council, mindful of the importance of the study of human rights and terrorism conducted over a number of years, that a compilation into a comprehensive document of all the reports and documents submitted to date by the Special Rapporteur be published as a United Nations publication as part of the *Human Rights Study Series*.

155. Total full costs of the activities envisaged under decision 2005/107 would amount to \$14,000 under section 24, Human rights. No provisions have been made under the programme budget for the biennium 2004-2005 for these requirements. It is anticipated, however, that the costs could be absorbed within overall resources included in the programme budget for this biennium under section 24, Human rights.

156. The Secretariat respectfully draws the attention of the Commission to the fact that all the reports of the Special Rapporteur are available in the Official Document System of the United Nations, to which free public access has been provided via the Internet. The hard copies of the reports could be obtained from the United Nations

information centres and libraries around the world and from the information desk of OHCHR and its field offices.

XXXII. Decision 2005/108 on the difficulty of establishing guilt and/or responsibility with regard to crimes of sexual violence

157. Under the terms of decision 2005/108, the Commission, taking note of resolution 2004/29 of 12 August 2004 of the Subcommission on the Promotion and Protection of Human Rights, decided to approve the decision of the Subcommission to appoint Ms. Lalaina Rakotoarisoa as Special Rapporteur entrusted with preparing a detailed study on the difficulties of establishing guilt and/or responsibilities with regard to crimes of sexual violence, and to request the Special Rapporteur to submit to the Subcommission a preliminary report at its fifty-seventh session, an interim report at its fifty-eighth session and a final report at its fifty-ninth session. The Commission also approved the request to the Secretary-General to provide the Special Rapporteur with any assistance she may require to carry out her mandate.

158. Total full costs of the activities envisaged under this decision would amount to \$28,400 under section 24, Human rights, in the biennium 2004-2005 and \$56,800 under section 23, Human rights, in the biennium 2006-2007.

159. The mandate of the Special Rapporteur falls under the category of activities considered to be of a perennial nature. Provisions for activities of this nature have already been included in the programme budget for the biennium 2004-2005 and in the proposed programme budget for the biennium 2006-2007. Hence, no additional appropriation would be required as a result of the adoption of the resolution.

160. In connection with the request to the Secretary-General to provide the Special Rapporteur with any assistance she may require to carry out her mandate, it is recalled that by its resolution 59/277, the General Assembly approved, under the regular budget for the biennium 2004-2005, resources for OHCHR of \$64,571,300 under section 24, Human rights. In addition, at the time of approval of resolution 58/271 A, the Assembly was informed that OHCHR projected extrabudgetary resources in the amount of \$90,106,500 for the same period.

161. The attention of the Commission was also drawn to the provisions of resolution 45/248 B, section VI, in which the General Assembly reaffirmed that administrative and budgetary matters should be dealt with by the Fifth Committee and the Advisory Committee on Administrative and Budgetary Questions.

XXXIII. Decision 2005/109 on discrimination based on work and descent

162. Under the terms of decision 2005/109, the Commission decided to endorse the decision of the Subcommission on the Promotion and Protection of Human Rights to appoint Mr. Yozo Yokota and Ms. Chin-Sung Chung as Special Rapporteurs with the task of preparing a comprehensive study on discrimination based on work and descent, on the basis of the three working papers submitted to the Subcommission on this topic (E/CN.4/Sub.2/2001/16, E/CN.4/Sub.2/2003/24 and E/CN.4/Sub.2/2004/31),

the comments made during the sessions of the Subcommittee at which those working papers were submitted and the provisions of the above-mentioned resolution, as well as on responses from Governments, national human rights institutions, relevant organs and agencies of the United Nations system and non-governmental organizations to a questionnaire to be elaborated and circulated by the Special Rapporteurs. The Commission also approved the request to the Special Rapporteur to submit a preliminary report to the Subcommittee at its fifty-seventh session, a progress report at its fifty-eighth session and a final report at its fifty-ninth session, as well as the request to the Secretary-General and the United Nations High Commissioner for Human Rights to provide the Special Rapporteurs with all the assistance necessary to enable them to accomplish this task.

163. Total full costs of the activities envisaged under decision 2005/109 would amount to \$42,100 in the biennium 2004-2005 under section 24, Human rights, and \$84,200 in the biennium 2006-2007.

164. The mandate of the Special Rapporteurs falls under the category of activities considered to be of a perennial nature. Provisions have already been included in the programme budget for the biennium 2004-2005 and in the proposed programme budget for the biennium 2006-2007 for activities of this nature. Hence no additional appropriation would be required as a result of the adoption of the decision.

XXXIV. Decision 2005/110 on the final report on the study on indigenous peoples' permanent sovereignty over natural resources

165. Under the terms of decision 2005/110, the Commission decided, *inter alia*:

(b) To recommend to the Economic and Social Council that it authorize OHCHR to convene an expert seminar during 2005, to which representatives of indigenous peoples and Governments as well as the Special Rapporteur would be invited, in order to give further attention to and to discuss in detail the many political, legal, economic, social and cultural aspects and matters raised in the above-mentioned study, as well as to the study of the Special Rapporteur entitled "Indigenous peoples and their relationship to land" (E/CN.4/Sub.2/2001/21);

(c) Also to recommend to the Council, mindful of the importance of the studies, which may, *inter alia*, be used as a basis for reconciliation between Governments and indigenous peoples, that they be issued as United Nations publications as part of the *Human Rights Study Series*.

166. The activities envisaged under subparagraph (b) of decision 2005/110 would require provisions of \$55,200 to cover travel and subsistence requirements for the participants in the seminar, including the Special Rapporteur, and conference servicing provisions of \$57,000.

167. It is anticipated that the above total costs of \$112,200 would be covered from extrabudgetary resources available to OHCHR. Hence, no additional appropriation would be required.

168. As regards subparagraph (c) of decision 2005/110, the Secretariat would respectfully draw the attention of the Commission to the fact that all the reports of the Special Rapporteur are available in the Official Document System of the United

Nations, to which free public access has been provided via the Internet. The hard copies of the reports could be obtained from the United Nations information centres and libraries around the world and from the information desk of OHCHR and its field offices.

XXXV. Decision 2005/113 on enhancing and strengthening the effectiveness of the special procedures of the Commission on Human Rights

169. Under the terms of operative paragraph (d) of decision 2005/113, the Commission decided to request the United Nations High Commissioner for Human Rights to organize, from within existing resources, an open-ended seminar to be held in 2005, in consultation with the expanded bureau of the Commission, as a part of enhancing and strengthening the effectiveness of the special procedures.

170. The activities envisaged in connection with organizing the open-ended seminar under operative paragraph 4 would require provisions under section 24, Human rights, of the programme budget for the biennium 2004-2005 for: (a) travel and subsistence for the eight special procedures mandate-holders, totalling \$43,800 and (b) communications and miscellaneous administrative costs of \$1,500.

171. No provisions have been made under the programme budget for the biennium 2004-2005 for the travel, subsistence and miscellaneous requirements. However, it is anticipated that the costs could be absorbed within overall resources included in the programme budget for this biennium under section 24, Human rights.

172. Preparation of the seminar would also require consultancy provisions of \$15,000 under section 24, Human rights, of the programme budget for the biennium 2004-2005. It is anticipated that these costs could be absorbed within the overall extrabudgetary resources of OHCHR.

173. Total full costs for activities envisaged in connection with organizing the open-ended seminar under operative paragraph would amount to \$60,300.

174. The attention of the Commission was also drawn to the provisions of resolution 45/248 B, section VI, in which the General Assembly reaffirmed that administrative and budgetary matters should be dealt with by the Fifth Committee and the Advisory Committee on Administrative and Budgetary Questions.

XXXVI. Decision 2005/115 on the organization of work of the sixty-second session of the Commission on Human Rights

175. Under the terms of decision 2005/115, the Commission recommended to the Economic and Social Council that it authorize six fully serviced additional meetings, including the provision of summary records, in accordance with rules 29 and 31 of the rules of procedure of the functional commissions of the Council, for the Commission's sixty-second session.

176. Total full costs of conference servicing envisaged under decision 2005/115, if adopted, would amount to \$169,400 in 2006, broken down as follows:

<i>United States dollars</i>	
Section 2. General Assembly affairs and conference services	162 800
Section 29E. Administration, Geneva	6 600
Total	169 400

177. No conference servicing provisions have been made for these six additional meetings in the proposed programme budget for the biennium 2006-2007. It is estimated that additional requirements would amount to \$162,800 under section 2, General Assembly affairs and conference services and \$6,600 under section 28E, Administration, Geneva.

XXXVII. Decision 2005/116 on the reform proposed by the Secretary-General in the area of human rights

178. Under the terms of decision 2005/116, the Commission decided to establish an open-ended working group to be chaired by its current Chairperson, which will convene a 5-day intersessional meeting in June 2005 to reflect coherently on the recommendations on human rights contained in the report of the Secretary-General, with a view to contributing to the intergovernmental deliberations on the proposed reform of the United Nations in the General Assembly, and to this end recommended that the Commission should convene a one-day session to formally adopt the outcome of the open-ended working group and transmit its outcome to the Secretary-General through the Economic and Social Council.

179. The five-day session of the open-ended working group would require provisions for conference servicing as follows:

<i>United States dollars</i>	
Section 2. General Assembly affairs and conference services	157 200
Section 29E. Administration, Geneva	3 300
Total	160 500

180. The one-day session of the Commission would require provisions for conference servicing as follows:

<i>United States dollars</i>	
Section 2. General Assembly affairs and conference services	104 000
Section 29E. Administration, Geneva	1 000
Total	105 000

181. The Commission was informed that no provisions have been made under the programme budget for the biennium 2004-2005 to convene the two meetings envisaged and that it would not be possible to absorb additional conference servicing requirements detailed in paragraphs 179 and 180 above. Therefore, an additional appropriation by the General Assembly of \$261,200 would be required under section 2, General Assembly affairs and conference services, and of \$4,300 under section 29E, Administration, Geneva.

182. At its resumed organizational session in May 2005, decision 2005/116 and the related statement of programme budget implications was presented to the Council in document E/2005/55. Council decision E/2005/L.11/Rev.1 was adopted after the Council was informed that the decision entailed additional appropriations of \$55,900 under section 2, General Assembly affairs and conference services, and \$1,400 under section 29E, Administration, Geneva.



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New York, 29 June-27 July 2005

Agenda item 14 (g)

Social and human rights questions: human rights

Programme budget implications of resolutions and decisions contained in the report of the Commission on Human Rights on its sixty-first session

**Statement submitted by the Secretary-General in accordance
with rule 31 of the rules of procedure of the Economic and
Social Council**

Corrigendum

1. The title of document E/2005/L.34 should read as above.
2. Replace paragraph 1 with the following:
 1. At its sixty-first session, the Commission on Human Rights adopted a number of resolutions and decisions entailing programme budget implications. In accordance with rule 28 of the rules of procedure of the functional commissions of the Economic and Social Council, the Commission was informed of those programme budget implications through oral statements.





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Agenda item 13 (a)

**Economic and environmental questions:
sustainable development**

Jamaica: * draft resolution

United Nations Public-Private Alliance for Rural Development

The Economic and Social Council,

Recalling its 2003 ministerial declaration,¹ which underlined the importance of alliances and partnerships among actors in different sectors for the promotion of integrated rural development,

Recalling also its resolution 2004/49 of 23 July 2004 on the United Nations Public-Private Alliance for Rural Development,

Underlining the importance of the contribution of the private sector, non-governmental organizations and civil society in general to the implementation of the outcomes of United Nations conferences in the economic, social and related fields,

Recalling the central role and responsibility of Governments in national and international policymaking,

Bearing in mind General Assembly resolution 58/129 of 19 December 2003, entitled "Towards global partnerships", in which the Assembly, inter alia, identified the principles and objectives of such partnerships and welcomed the establishment of a multitude of partnerships at the field level, entered into by various United Nations organizations, Member States and other stakeholders, such as the United Nations Public-Private Alliance for Rural Development (the United Nations Alliance),

1. *Welcomes* the initiative of the Government of the Dominican Republic to serve as the second pilot country for the United Nations Public-Private Alliance for Rural Development (the United Nations Alliance);

* On behalf of the States Members of the United Nations that are members of the Group of 77 and China.

¹ *Official Records of the General Assembly, Fifty-eighth Session, Supplement No. 3 (A/58/3)*, chap. III, para. 35.



2. *Invites* all Member States, the funds, programmes and agencies of the United Nations system, the Bretton Woods institutions, civil society, the private sector and other relevant stakeholders to support the programmes and activities of the United Nations Alliance in its mission to promote sustainable rural development, consistent with General Assembly resolution 58/129 and other relevant resolutions and decisions of the Assembly and the Economic and Social Council;

3. *Stresses* that activities of the funds, programmes and specialized agencies of the United Nations system at the country level in support of the United Nations Alliance should take into account the implementation of the United Nations Development Assistance Framework;

4. *Requests* the Secretary-General to report to the Economic and Social Council at its substantive session of 2007 on the work of the United Nations Alliance.

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Agenda item 7 (h)

**Coordination, programme and other questions:
ad hoc advisory groups on African countries
emerging from conflict**

**Draft resolution submitted by the Vice-President of the Council, Mr. Agim Nesho
(Albania), on the basis of informal consultations**

Ad Hoc Advisory Group on Guinea-Bissau

The Economic and Social Council,

Recalling its resolutions 2002/1 of 15 July 2002, 2003/1 of 31 January 2003, 2003/53 of 24 July 2003, 2004/1 of 3 May 2004, 2004/59 and 2004/61 of 23 July 2004 and 2005/2 of 1 March 2005 and its decision 2002/304 of 25 October 2002,

Welcoming the efforts of Guinea-Bissau, in particular the successful holding of the first round of Presidential elections on 19 June 2005, looking forward to the continuing peaceful electoral process leading up to and including the second round of elections scheduled for 24 July 2005 and encouraging its efforts to consolidate democracy and further deepen transparency and good governance,

Recognizing the link between political stability and economic and social development in Guinea-Bissau,

Welcoming the positive and constructive role of the Ad Hoc Advisory Group on Guinea-Bissau in supporting the country in pursuing its pressing short and long-term development objectives,

Also welcoming the efforts undertaken by the Secretary-General and his Special Envoy for Guinea-Bissau to assist all relevant actors in Guinea-Bissau to reach a peaceful conclusion of the transitional process in the country,

Recognizing the role played by partners of Guinea-Bissau in helping the country to return to constitutional order,



1. *Takes note with appreciation of the report of the Ad Hoc Advisory Group on Guinea-Bissau;*¹
2. *Expresses appreciation to those countries that have provided technical and financial support for the holding of the Presidential elections;*
3. *Also expresses appreciation to those countries and organizations that have shown flexibility in providing budget support to Guinea-Bissau in meeting its emergency needs, including through the Emergency Economic Management Fund, requests donors to continue to provide budgetary support to assist Guinea-Bissau in meeting the effective functioning of the State, and welcomes in this regard, the decision of the United Nations Development Programme to extend the duration of the Emergency Economic Management Fund until the end of 2005;*
4. *Welcomes the recommendation of the Security Council, in its resolution 1580 (2004) of 22 December 2004, to establish a voluntary emergency fund, to be administered by the United Nations Development Programme, to support efforts related to the planning and implementation of military reform, and expresses appreciation to those countries and organizations that have provided technical and financial support, including through the United Nations Development Programme, for the definition and implementation of military sector reform;*
5. *Welcomes the plan by the United Nations country team to design a transitional strategy for the country, and calls on the United Nations system, and requests all other partners, to contribute to the implementation of the quick-impact micro-projects envisaged therein;*
6. *Calls on all participants at the meeting of partners of Guinea-Bissau, held in Lisbon on 11 February 2005, to ensure the implementation of its conclusions, including the fulfilment of their commitments, and to strongly support the donor round table conference scheduled to be held in the last quarter of 2005, and encourages in this regard all traditional and non-traditional partners, in preparation for the conference, to identify lead donors for various sectors in an effort to coordinate assistance;*
7. *Calls on the United Nations system, in collaboration with the Bretton Woods institutions and other multilateral and bilateral donors, to assist Guinea-Bissau in designing and implementing a comprehensive technical assistance plan that focuses on national priority areas, in particular on the public administration, health and education sectors;*
8. *Encourages the international community to find ways to support Guinea-Bissau in strengthening civil society organizations;*
9. *Urges the United Nations Conference on Trade and Development, the Common Fund for Commodities, where appropriate, and other relevant agencies to assist Guinea-Bissau in formulating and implementing a comprehensive economic diversification strategy;*
10. *Notes that post-conflict recovery, reconstruction and rehabilitations, including the experience of the ad hoc advisory groups, are among the subjects being discussed in ongoing talks on United Nations reform;*

¹ E/2005/70.

11. *Recognizes* the importance of avoiding overlap and duplication with respect to existing mechanisms;

12. *Decides*, in the light of the current situation in Guinea-Bissau, to extend the mandate of the Ad Hoc Advisory Group until the substantive session of 2006, with the understanding that the decision on whether to renew its mandate will be based on the Council's consideration of the report of the Ad Hoc Advisory Group on Guinea-Bissau, which should be submitted no later than six weeks before the start of the 2006 substantive session, and the situation prevailing in Guinea-Bissau at that time.

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Agenda item 7 (h)

**Coordination, programme and other questions:
ad hoc advisory groups on African countries
emerging from conflict**

Draft resolution submitted by the Vice-President of the Council, Mr. Agim Nesho (Albania), on the basis of informal consultations

Ad Hoc Advisory Group on Burundi

The Economic and Social Council,

Recalling its resolutions 2002/1 of 15 July 2002, 2003/16 of 21 July 2003, 2003/50 of 24 July 2003, 2004/2 of 3 May 2004, 2004/59 and 2004/60 of 23 July 2004 and 2005/1 of 1 March 2005 and its decision 2003/311 of 22 August 2003,

1. *Takes note with appreciation of the report of the Ad Hoc Advisory Group on Burundi;¹*
2. *Expresses appreciation to the Government and people of Burundi for the successful holding of the communal and legislative elections, and stresses the importance of concluding the transition period and further consolidating peace;*
3. *Commends those donors that have provided support to Burundi, calls for increased disbursement of funds committed at the Forum of Development Partners, held in Brussels on 13 and 14 January 2004, and encourages Member States to provide funds for the United Nations Consolidated Appeal for 2005;*
4. *Encourages the authorities of Burundi to finalize its poverty reduction strategy paper;*
5. *Notes the willingness of the authorities of Burundi to convene a further donor round table, and encourages the country's development partners to support the new Government with commensurate means and resources in the post-transition phase and through participation in the round table;*
6. *Requests the Ad Hoc Advisory Group to continue to follow closely the humanitarian situation and economic and social conditions, to examine the*

¹ E/2005/82.



transition from relief to development in Burundi and the way in which the international community supports the process and to report to the Economic and Social Council at its substantive session in 2006;

7. *Notes* that the post-conflict recovery, reconstruction and rehabilitation, including the experience of the ad hoc advisory groups, are among the subjects being discussed in ongoing talks on United Nations reform;

8. *Recognizes* the importance of avoiding overlap and duplication with respect to existing mechanisms;

9. *Decides* that the work of the Ad Hoc Advisory Group on Burundi will be reviewed at the substantive session of 2006, with a view to considering whether to continue the mandate of the Advisory Group based on the Council's consideration of its report, which should be submitted no later than six weeks before the start of the substantive session of 2006, and of the situation prevailing in Burundi at that time.

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Agenda item 7 (e)

**Coordination, programme and other questions:
mainstreaming a gender perspective into all policies
and programmes in the United Nations system**

**Canada, Germany, Indonesia, Liechtenstein,* Lithuania and Mexico:
draft resolution**

**Mainstreaming a gender perspective into all policies and
programmes in the United Nations system**

The Economic and Social Council,

Reaffirming its agreed conclusions 1997/2 on mainstreaming a gender perspective into all policies and programmes in the United Nations system,¹ and recalling its resolutions 2001/41 of 7 July 2001, 2002/23 of 24 July 2002, 2003/49 of 24 July 2003 and 2004/4 of 7 July 2004,

Reaffirming also that gender mainstreaming is a globally accepted strategy for promoting gender equality and constitutes a critical strategy in the implementation of the Beijing Platform for Action² and the outcomes of the twenty-third special session of the General Assembly,³

Underlining the catalytic role played by the Commission on the Status of Women, as well as the important role played by the Economic and Social Council and the General Assembly, in promoting and monitoring gender mainstreaming within the United Nations system,

Welcoming the declaration adopted by the Commission on the Status of Women at its forty-ninth session,⁴

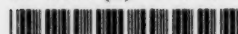
* In accordance with rule 72 of the rules of procedure of the Economic and Social Council.

¹ See *Official Records of the General Assembly, Fifty-second Session, Supplement No. 3* (A/52/3/Rev.1), chap. IV, para. 4.

² *Report of the Fourth World Conference on Women, Beijing, 4-15 September 1995* (United Nations publication, Sales No. E.96.IV.13), chap. I, resolution 1, annex II.

³ General Assembly resolutions S-23/2 and S-23/3.

⁴ *Official Records of the Economic and Social Council, 2005, Supplement No. 7 and corrigendum* (E/2005/27 and Corr.1), chap. I.A.



1. *Welcomes* the report of the Secretary-General on follow-up to and progress in the implementation of the Beijing Declaration and Platform for Action and the outcome of the twenty-third special session of the General Assembly,⁵ especially in mainstreaming a gender perspective in entities of the United Nations system;

2. *Notes with appreciation* the progress and continued efforts by United Nations entities to address gaps between policy and practice in mainstreaming a gender perspective in their respective fields of work;

3. *Expresses concern* at the remaining gaps between policy and practice, with particular challenges relating to inadequate institutional mechanisms, including in the area of data collection, accountability, monitoring, reporting and training, as well as inadequate resource allocation;

4. *Calls upon* all entities of the United Nations system, including United Nations agencies, funds and programmes, to intensify efforts to address the challenges to the integration of gender perspectives in policies and programmes, including by:

(a) Developing action plans, where these do not yet exist, with clear guidelines on the practical implementation of gender mainstreaming in policies and programmes;

(b) Ensuring that action plans include timelines and specific provisions on institutional mechanisms at both headquarters and field offices and that they are fully coordinated with overall organizational goals and strategies;

(c) Fully incorporating a gender perspective in programme budgets and multi-year funding frameworks and into all results-based budgeting processes;

(d) Ensuring continuous awareness raising and training on gender issues for all staff, including by integrating a gender perspective into all training programmes, as well as assessing the impact of the gender component of the existing training programmes to improve their effectiveness;

(e) Building the capacity of staff to undertake gender analysis and requiring staff to apply gender analysis to both policy formulation and programmatic work;

(f) Ensuring full and strong commitment by senior management officials to gender mainstreaming and its implementation in policies, programmes and projects;

(g) Strengthening accountability systems for all staff for gender mainstreaming, including through performance appraisals;

(h) Incorporating a gender perspective into operational mechanisms, in accordance with the national development strategies, including common country assessments and the United Nations Development Assistance Framework, poverty reduction strategy papers and reporting and implementation frameworks, such as those relating to the implementation of the internationally agreed development goals, including those contained in the Millennium Declaration;

(i) Continuing to support Governments and to work with civil society in their efforts to implement the Beijing Platform for Action² and the outcomes of the twenty-third special session of the General Assembly;³

⁵ E/2005/54.

(j) Further developing and institutionalizing monitoring and evaluation tools and gender impact analysis methodologies and ensuring the use of available sex-disaggregated data;

(k) Promoting the mainstreaming of gender perspectives into key macroeconomic and social development policies and national development programmes;

5. *Takes note* of the work already undertaken to implement General Assembly resolution 59/164 of 20 December 2004 on the improvement of the status of women in the United Nations system, and urges continued efforts towards its full implementation;

6. *Encourages* the Special Adviser on Gender Issues and Advancement of Women and the Division for the Advancement of Women as well as other relevant United Nations entities to maintain their efforts to raise awareness of gender issues across the United Nations system;

7. *Recommends* that all entities of the United Nations system continue to promote cooperation, coordination and the sharing of methodologies and good practices, including through the development of tools and effective processes for monitoring and evaluation within the United Nations, in the implementation of its agreed conclusions 1997/2,¹ in particular through the Inter-Agency Network on Women and Gender Equality, and recommends further that all inter-agency mechanisms pay attention to gender perspectives in their work;

8. *Also recommends* that the Inter-Agency Network on Women and Gender Equality continues to provide practical support to its members in gender mainstreaming and to report regularly to the United Nations System Chief Executives Board for Coordination through its High-Level Committee on Programme and its High-Level Committee on Management in order to facilitate the incorporation of gender mainstreaming perspectives into their work;

9. *Calls upon* the United Nations system to strengthen inter-agency and country team collaboration on gender mainstreaming, including through the creation or expansion of electronic knowledge networks on gender mainstreaming;

10. *Requests* the Secretary-General to report to the Economic and Social Council at its substantive session of 2006 on progress in mainstreaming a gender perspective into all policies and programmes in the United Nations, with a focus on training activities.

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Item 6 (b) of the provisional agenda

Implementation of and follow-up to major United Nations conferences and summits: review and coordination of the implementation of the Programme of Action for the Least Developed Countries for the Decade 2001-2010

Implementation of the Programme of Action for the Least Developed Countries for the Decade 2001-2010**Programme budget implications of draft resolution E/2005/L.28****Statement submitted by the Secretary-General in accordance with rule 31 of the rules of procedure of the Economic and Social Council**

1. Under the terms of operative paragraph 13 of draft resolution E/2005/L.28, the Economic and Social Council would request the Secretary-General to ensure predictable funds for the travel and daily subsistence allowance of two representatives from each least developed country to attend the annual review of the Programme of Action. Under the terms of operative paragraph 7 of its resolution 59/244, the General Assembly has requested the Secretary-General to establish a specific trust fund to be funded by voluntary contributions for the travel and subsistence of two representatives from each least developed country to attend the annual review of the Programme of Action.

2. The Secretariat would like to draw the attention of the Council to General Assembly resolution 1798 (XVII), as amended by General Assembly resolutions 2128 (XX), 2245 (XXI), 2489 (XXIII), 2491 (XXIX), 41/176, 41/213, 42/214, 42/225, section VI, 43/217, section IX, and 45/248 A, section XIII, which sets the rules and procedures governing the payment of travel and/or subsistence expenses of members of certain organs and subsidiary organs by the United Nations. In accordance with resolution 1798 (XVII), the United Nations shall pay the travel expenses, but no subsistence expenses, for (a) not more than five representatives, including alternate representatives, of each Member State designated as a least developed country attending a regular session of the General Assembly and (b) one representative of each Member State participating in a functional commission of the



Economic and Social Council or in a subcommission or subcommittee of a functional commission, where such representatives are nominated by their Governments in consultation with the Secretary-General and subsequently confirmed by the Council or where, in the case of representatives nominated directly by their Governments, the Council recommends and the General Assembly decides that such payments should be made.

3. The implementation of paragraph 13 of draft resolution E/2005/L.28 would therefore require an exception to General Assembly resolution 1798 (XVII).

4. The attention of the Council is also drawn to the provisions of section VI of General Assembly resolution 45/248 B, in which the Assembly reaffirmed that the Fifth Committee was the appropriate Main Committee of the Assembly entrusted with responsibilities for administrative and budgetary matters, and also reaffirmed the role of the Advisory Committee on Administrative and Budgetary Questions. Under the circumstances, the consideration by the Economic and Social Council of paragraph 13 of draft resolution E/2005/L.28 may be considered to be in contravention of resolution 45/248 B, since it directly addresses resource issues which fall within the exclusive prerogative of the Fifth Committee.

5. The cost of the participation of two Government representatives from each least developed country in the annual assessment of the Programme of Action by the Economic and Social Council is estimated at \$1,169,600 per biennium. This amount covers the full normal airfare for two representatives from each least developed country to the annual substantive session of the Economic and Social Council, held once per biennium in New York and once per biennium in Geneva, as well as terminal and subsistence expenses.

6. It will be recalled that, under the procedures established by the General Assembly in its resolutions 41/213 and 42/211, a contingency fund is established for each biennium to accommodate additional expenditures derived from legislative mandates not provided for in the programme budget.

7. Should the Economic and Social Council adopt draft resolution E/2005/L.28, an additional provision of \$1,169,600 would be required over and above the resources initially proposed under section 10, Least developed countries, landlocked developing countries and small island developing States, of the proposed programme budget for the biennium 2006-2007. The additional requirement would represent a charge against the contingency fund for the biennium 2006-2007.

8. Since the terms of operative paragraph 13 of the draft resolution are not consistent with the existing General Assembly resolutions on travel entitlements of members of organs or subsidiary organs of the United Nations, it is proposed that a decision on this paragraph be deferred until the Fifth Committee, which is the appropriate Main Committee dealing with administrative matters, including travel entitlements, under General Assembly resolution 1798 (XVII), has had an opportunity to review the issue.

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Agenda item 7 (g)

**Coordination, programme and other questions: Joint
United Nations Programme on HIV/AIDS (UNAIDS)**

**Draft resolution submitted by the Vice-President of the Council, Mr. Agim Nesho
(Albania), on the basis of informal consultations**

Joint United Nations Programme on HIV/AIDS (UNAIDS)

The Economic and Social Council,

Recalling its resolution 2003/18 of 22 July 2003,

Having considered the report of the Executive Director of the Joint
Programme,¹

Recalling the goals and targets set forth in the Declaration of Commitment on
HIV/AIDS,² adopted by the General Assembly at its twenty-sixth special session in
2001, and the HIV/AIDS-related goals contained in the United Nations Millennium
Declaration of 2000,³

Reaffirming the importance of the follow-up process prescribed by the
Declaration, which included the setting of specific time-bound targets, which fall
due in 2005 and 2010, and noting in this regard the high-level meeting of the
General Assembly to review progress achieved in realizing the commitments set out
in the Declaration of Commitment on HIV/AIDS, held on 2 June 2005,

Noting with profound concern that 39.4 million people worldwide are living
with HIV/AIDS, that the pandemic claimed 3.1 million lives in 2004, with
4.9 million new HIV infections, and that it has orphaned 15 million children to date,

Deeply concerned that the global HIV/AIDS pandemic has a disproportionate
impact on women and girls and that the majority of new infections occur among
young people,

¹ E/2005/59.

² General Assembly resolution S-26/2, annex.

³ See General Assembly resolution 55/2.



Expressing serious concern about the continued global spread of HIV/AIDS, which exacerbates poverty and poses a major threat to economic and social development and to food security in heavily affected regions,

Noting the need for greater coherence and accountability in the responses to the HIV/AIDS pandemic,

Recognizing the importance of partnerships at the national, regional and international levels as part of the responses to HIV/AIDS, including for prevention, care, support and treatment, as well as the importance of enhanced support for human and institutional capacity development and of considerably increased financial resources,

Welcoming the World Food Programme and the Office of the United Nations High Commissioner for Refugees as the ninth and tenth co-sponsors of the Joint Programme,

1. *Urges* the Joint United Nations Programme on HIV/AIDS (UNAIDS) and the organizations and bodies of the United Nations system, within their respective mandates, to intensify their support to Governments, with a view to achieving the goals contained in the United Nations Millennium Declaration,¹ as well as the goals and targets contained in the Declaration of Commitment on HIV/AIDS;²

2. *Encourages* Governments to report fully in preparation for the report of the Secretary-General to the sixtieth session of the General Assembly on the implementation of the Declaration of Commitment on HIV/AIDS;

3. *Welcomes* the support given by the Programme Coordinating Board of the Joint United Nations Programme on HIV/AIDS at its fifteenth, sixteenth and seventeenth meetings to the commitment of the Joint Programme to expanding technical support, building capacity and promoting coordinated and comprehensive responses at country level, in particular through the implementation of the "three ones" principle for country-level coordination, and in taking into consideration the recommendations of the Global Task Team on Improving AIDS Coordination among Multilateral Institutions and International Donors;

4. *Also welcomes* the intensification of joint regional United Nations action on HIV/AIDS, through improved communications between agencies at the regional level and through initiatives such as the regional support teams established by the Programme to mobilize and leverage technical, financial and political support for the joint country-level efforts by the United Nations, largely through the country offices of the Programme in their respective regions, to assist national HIV/AIDS responses;

5. *Encourages* the Programme and the World Health Organization to intensify their work with the international community in achieving the "3 by 5" target;

6. *Also encourages* the Programme to continue to promote and support countries in the development of evidence-informed HIV/AIDS strategies, including efforts towards universal access to prevention, treatment and care services, recognizing the importance of a comprehensive approach to HIV/AIDS;

7. *Takes note with interest* of the endorsement by the Programme Coordinating Board at its seventeenth meeting, of the policy position paper of the

Joint Programme entitled "Intensifying HIV Prevention", and urges the Programme to strengthen its leadership of global and regional efforts, as appropriate, and support national efforts to intensify HIV prevention as part of a comprehensive, coordinated and coherent response to HIV/AIDS;

8. *Encourages* the activities of the Programme to strengthen, streamline and harmonize monitoring and evaluation efforts at the global, regional and country levels, in particular its efforts to rapidly improve monitoring and evaluation systems in priority countries through the provision of technical support and the posting of specialist staff in these and other countries;

9. *Commends* the Programme and its partners for launching the Global Coalition on Women and AIDS, and calls for strengthened and improved action related to women and HIV/AIDS through intensified efforts by Governments, United Nations agencies, civil society and the private sector;

10. *Takes note with appreciation* of the endorsement of the Programme Coordinating Board, at its seventeenth meeting, of the recommendations of the Global Task Team on Improving AIDS Coordination among Multilateral Institutions and International Donors, and calls upon the Programme and the wider United Nations system and invites other multilateral institutions to implement the recommendations, as appropriate;

11. *Supports* the efforts of the Programme to advocate that increased resources be devoted to the response to HIV/AIDS and to explore innovative options for expanding the funding base, both nationally and internationally;

12. *Commends* the Programme for strengthening the results-based management framework and simplifying the 2006-2007 unified budget and work plan, as requested by the Programme Coordinating Board at its sixteenth meeting;

13. *Requests* the Secretary-General to transmit to the Economic and Social Council, at its substantive session of 2007, a report prepared by the Executive Director of the Joint Programme, in collaboration with other relevant organizations and bodies of the United Nations system, which should include information on progress made in implementing the coordinated response of the United Nations system to the HIV/AIDS pandemic as well as the decisions, recommendations and conclusions of the Programme Coordinating Board taken subsequent to the substantive session of the Council in 2005.

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Agenda item 13 (m)

**Economic and environmental questions: transport
of dangerous goods**

Amendments to the draft resolution entitled “Work of the Committee of Experts on the Transport of Dangerous Goods and on the Globally Harmonized System of Classification and Labelling of Chemicals”, contained in the report of the Secretary-General (E/2005/53), submitted by the Vice-President of the Council, Mr. Agim Nesho (Albania), on the basis of informal consultations

1. In section A, *delete* the fifth preambular paragraph, which had read

“Recalling also that in response to resolution 1973 (LIX) the Committee had, until now, been of the view that the consideration of such a convention would not be appropriate until the various international agreements or conventions governing international transport of dangerous goods had not been harmonized;”

2. In section A, *replace* the existing text of the sixth preambular paragraph, which had read

“Noting that the major international instruments governing the transport of dangerous goods by the various modes of transport (International Maritime Dangerous Goods Code, Technical Instructions for the Safe Transport of Dangerous Goods by Air, European Agreement concerning the International Carriage of Dangerous Goods by Road, Regulations concerning the International Carriage of Dangerous Goods by Rail, European Agreement concerning the International Carriage of Dangerous Goods by Inland Waterway) and as many national regulations are now harmonized with the Model Regulations annexed to the Committee recommendations on the transport of dangerous goods, but that the lack of simultaneity in the updating process of national inland transport legislation in most countries of the world remains the major reason for regulatory disharmony at the worldwide level and represents a serious legislative obstacle to international multimodal transport,”

with the following



"*Noting* that the major international instruments governing the transport of dangerous goods by the various modes of transport and many national regulations are now harmonized with the Model Regulations annexed to the Committee recommendations on the transport of dangerous goods, but that the uneven progress in the updating process of national inland transport legislation in some countries of the world remains, inter alia, a reason for regulatory disharmony at the worldwide level and represents a serious legislative obstacle to international multimodal transport;"

3. In section A, *replace* the existing text of operative paragraph 5, which had read

"5. *Reiterates* its request to the Committee to study, in consultation with the International Maritime Organization, the International Civil Aviation Organization, the regional commissions and the intergovernmental organizations concerned, the possibility of a joint approach to the drafting of a convention on multimodal international transport of dangerous goods, or any other possibility of improving simultaneous implementation of the Model Regulations on the Transport of Dangerous Goods in all countries for the purposes of ensuring a high level of safety and eliminating technical barriers to international trade;"

with the following

"5. *Requests* the Committee to continue to study, in consultation with the International Maritime Organization, the International Civil Aviation Organization, the regional commissions and the intergovernmental organizations concerned, the possibilities of improving the implementation of the Model Regulations on the Transport of Dangerous Goods in all countries for the purposes of ensuring a high level of safety and eliminating technical barriers to international trade, including through the further harmonization of international agreements or conventions governing the international transport of dangerous goods, or a possible joint approach to the development of an effective international instrument on multimodal international transport of dangerous goods, as appropriate;"

4. In section C, in the second preambular paragraph, *replace* the words "the need to ensure their wider participation" with the words "the need to promote their wider participation".

5. In section C, in operative paragraph 4, *replace* the year 2005 with the year 2007.